

Chapter No. 509

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SENATE BILL NO. 2616

Originated in Senate

Herold Hughes

Secretary

SENATE BILL NO. 2616

AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY TO THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION LOCATED IN HARRISON COUNTY, MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI FORESTRY COMMISSION TO LEASE CERTAIN STATE-OWNED PROPERTY LOCATED IN UNION COUNTY, MISSISSIPPI; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION, ACTING ON BEHALF OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT, TO DONATE AND CONVEY TO THE CITY OF FLOWOOD AND COUNTY OF RANKIN, MISSISSIPPI, REQUIRED INTERESTS IN STATE-OWNED PROPERTY NECESSARY FOR THE EXPANSION OF OLD FANNIN ROAD; TO RENAME THE ROSS BARNETT LAKE IN MIZE, MISSISSIPPI, THE PRENTISS WALKER LAKE; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO DONATE AND CONVEY LAKE DOCKERY TO THE CITY OF BYRAM IN HINDS COUNTY, MISSISSIPPI; TO PROVIDE THAT THE ALCORN STATE UNIVERSITY BASEBALL PARK ON THE CAMPUS OF ALCORN STATE UNIVERSITY IN LORMAN, MISSISSIPPI, SHALL BE NAMED THE WILLIE E. "RAT" MCGOWAN, SR., BASEBALL STADIUM; TO PROVIDE THAT THE BASEBALL FIELD WITHIN THE WILLIE E. "RAT" MCGOWAN STADIUM SHALL BE NAMED THE WILLIAM "BILL" FOSTER BASEBALL FIELD; TO AUTHORIZE THE DEPARTMENT OF ARCHIVES AND HISTORY TO PROCEED WITH THE RECOVERY AND RESTORATION OF AN HISTORIC SHIPWRECK; TO AUTHORIZE THE USE OF PRIVATE FUNDS; TO CREATE A SPECIAL FUND FOR SUCH PURPOSE; TO DIRECT CERTAIN STATE AGENCIES TO AID THE DEPARTMENT OF ARCHIVES AND HISTORY IN THE RECOVERY AND RESTORATION PROCESS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Mississippi Department of Wildlife, Fisheries and Parks may transfer and convey to the Mississippi Department of Transportation all of its right, title and interest in certain real property located in Harrison County, Mississippi, described more specifically as follows:

Commencing at a found 4 inch concrete monument situated near and representing the Southeast corner of the Southeast quarter of Section 17, Township 6 South, Range 11 West, Harrison County, Mississippi (C.P. State Plane Coordinates Northing = 369,136.2920 and Easting = 899,040.4880) and run thence North 38 degrees 22 minutes 13 seconds West a distance

of 2,526.22 feet to the Point of Beginning, said point being located 120.00 feet Westerly of and perpendicular to the centerline of survey of said project at station 328+26.58; (P.O.B. State Plane Coordinates Northing = 371,116.8889 and Easting = 897,472.3631);

- From said Point of Beginning run thence North 00 degrees 57 minutes 30 seconds West a distance of 668.30 feet to a Northern line of grantors property;
- thence run North 88 degrees 58 minutes 39 seconds East along said Northern property line a distance of 45.12 feet to the present Western right-of-way line of U.S. Highway No. 49;
- thence run south 00 degrees 57 minutes 30 seconds East along said Western right-of-way line a distance of 668.00 feet to a Southern line of grantors property;
- thence run South 88 degrees 35 minutes 50 seconds West along said Southern property line a distance of 45.12 feet to the Point of Beginning.

The above described parcel of land contains 0.69 acres, more or less, and is situated in and a part of the Northwest quarter of the Southeast quarter of Section 17, Township 6 South, Range 11 West, Harrison County, Mississippi.

(2) The conveyance authorized in this section may be subject to terms and conditions accepted and agreed upon by the Mississippi Department of Wildlife, Fisheries and Parks and the Mississippi Department of Transportation.

SECTION 2. (1) The Mississippi Forestry Commission is authorized to lease certain state-owned property to the County of Union, Mississippi, near the site of a Forestry Commission fire tower in Union County, Mississippi, such property being more particularly described as follows:

Commencing at the NE corner of Sec. 8, T7S, R4E from the point of beginning of the property herein described, thence run due West 4.00 chains, thence due South 4.00 chains,

thence due East 4.00 chains, thence due North 4.00 chains, thence due West 1.00 chain to the point of beginning, said tract containing 2 acres, more or less. One and six tenths (1.6) acres is located in the NE1/4 of the NE1/4 of Sec. 8, T7S, R4E and four-tenths (0.4) acres is located in the NW1/4 NW1/4 of Sec. 9, T7S, R4E, Union County, Mississippi.

(2) The terms and conditions of the lease agreed upon by the Mississippi Forestry Commission and the County of Union pursuant to subsection (1) shall be subject to the approval of the Public Procurement Review Board.

SECTION 3. (1) The Department of Finance and Administration, acting on behalf of the Pearl River Valley Water Supply District, is authorized to donate and convey to the City of Flowood and the County of Rankin, Mississippi, any required interest in certain state-owned real property necessary for the purpose of expanding Old Fannin Road, such property being more particularly described as follows:

Parcel 1:

A permanent easement containing 0.006 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 54, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°38'41" East for 2471.44 feet to a point on the West line of Old Fannin Road, said point hereinafter referred to as the Point of Beginning.

Thence North 35°22'02" West for 15.50 feet; thence Northeasterly along the arc of a 01°42'57" curve to the right, said curve having a radius of 3339.09 feet and a chord of North 54°47'06" East for 17.74 feet, for an arc distance of 17.74 feet to a point on the East line of Lot 54; thence South 35°06'14" East along the East line of Lot 54 for 15.82 feet to a 1/2" rebar set on the West line of Old Fannin Road; thence Southwesterly along the arc of a 01°55'35" curve to the left, said curve having a radius of 2974.26 feet and a chord of South 55°48'52" West for 17.67 feet, for an arc distance of 17.67 feet to the Point of Beginning.

Parcel 2:

A permanent easement containing 0.019 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 53, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°35'20" East for 2488.95 feet to a 1/2" rebar marking the Southwest corner of Lot 53, Barnett Bend, Part 2, said point hereinafter referred to as the Point of Beginning:

Thence North 35°06'14" West along the West line of Lot 53 for 15.82 feet; thence Northeasterly along the arc of a 01°42'57" curve to the right, said curve having a radius of 3339.09 feet and a chord of North 55°21'58" East for 49.99 feet, for an arc distance of 49.99 feet to a point on the East line of Lot 53; thence South 35°06'14" East along the

East line of Lot 53 for 16.78 feet to a 1/2" rebar set on the West line of Old Fannin Road; thence Southwesterly along the arc of a 01°55'35" curve to the left, said curve having a radius of 2974.26 feet and a chord of south 56°27'59" West for 50.00 feet for an arc distance of 50.01 feet to the Point of Beginning.

Parcel 3:

A permanent easement containing 0.020 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 52, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°26'58" East for 2538.58 feet to a 1/2" rebar marking the Southwest corner of Lot 52, said point hereinafter referred to as the Point of Beginning:

Thence North 35°06'14" West along the West line of Lot 52 for 16.78 feet; thence Northeasterly along the arc of a 01°42'57" curve to the right, said curve having a radius of 3339.09 feet and a chord of North 56°13'27" East for 50.03 feet, for an arc distance of 50.03 feet to a point on the East line of Lot 52; thence South 35°06'14" East along the East line of Lot 52 for 17.47 feet to a 1/2" rebar set on the West line of Old Fannin Road; thence South 56°57'48" West along the West line of Old Fannin Road for 50.04 feet to the Point of Beginning.

Parcel 4:

A permanent easement containing 0.020 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 51, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°19'31" East for 2588.31 feet to a 1/2" rebar marking the Southwest corner of Lot 51, said point hereinafter referred to as the Point of Beginning.

Thence North 35°06'14" West along the West line of Lot 51 for 17.47 feet; thence Northeasterly along the arc of a 01°42'57" curve to the right, said curve having a radius of 3339.09 feet and a chord of North 56°57'17" East for 35.12 feet, for an arc distance of 35.12 feet; thence North 57°15'23" East for 14.79 feet to a point on the East line of Lot 51; thence South 35°06'14" East along the North line of Lot 51 for 17.38 feet to a 1/2" rebar set on the North line of Old Fannin Road; thence South 56°57'48" West along the North line of Old Fannin Road for 49.91 feet to the Point of Beginning.

Parcel 5:

A permanent easement containing 0.020 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 50, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat

Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°12'16" East for 2637.92 feet to a 1/2" rebar marking the Southwest corner of Lot 50, said point hereinafter referred to as the Point of Beginning.

Thence North 35°06'14" West along the West line of Lot 50 for 17.38 feet; thence North 57°15'23" East for 50.05 feet to a point on the East line of Lot 50; thence South 35°06'14" East along the East line of Lot 50 for 17.10 feet to a 1/2" rebar set on the West line of Old Fannin Road; thence South 56°57'48" West along the West line of Old Fannin Road for 50.04 feet to the Point of Beginning.

Parcel 6:

A permanent easement containing 0.036 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being part of Lot 49, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 63°05'17" East for 2687.67 feet to a 1/2" rebar marking the Southwest corner of Lot 49, said point hereinafter referred to as the Point of Beginning:

Thence North 35°06'14" West along the West line of Lot 49 for 17.10 feet; thence North 57°15'23" East for 87.80 feet; thence South 60°58'07" East along the North line of Lot 49

for 18.83 feet to a 1/2" rebar set on the West line of Old Fannin Road; thence South 56°57'48" West along the West line of Old Fannin Road for 96.00 feet to the Point of Beginning.

Parcel 7:

A permanent easement containing 0.039 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, and being a part of Lot 48, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi, in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 62°52'38" East for 2783.14 feet to a 1/2" rebar marking the Southwest corner of Lot 48, said point hereinafter referred to as the Point of Beginning:

Thence North 60°58'07" West along the West line of Lot 48 for 18.83 feet; thence North 57°15'23" East for 106.46 feet; thence South 32°44'38" East for 16.10 feet to a point on the West line of Old Fannin Road; thence South 56°57'48" West along the West line of Old Fannin Road for 97.54 feet to the Point of Beginning.

Parcel 8:

A permanent easement containing 0.028 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi and being a part of Lot 1, Riverchase - Phase 1, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi in Plat Cabinet

B at Slot 181 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 62°37'28" East for 2907.05 feet to a point on the West line of Old Fannin Road to a point, said point hereinafter referred to as the Point of Beginning:

Thence North 32°44'38" West for 15.96 feet; thence North 57°15'23" East for 81.08 feet to a point on the West line of Riverchase Drive; thence South 02°04'23" East along the West line of Riverchase Drive for 18.13 feet to a point on the West line of Old Fannin Road; thence South 56°57'48" West along the West line of Old Fannin Road for 71.84 feet to the Point of Beginning.

Parcel 9:

A permanent easement containing 0.039 acres, more or less, situated in the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, run thence North 46°58'43" East for 5750.09 feet to a point on the East line of Old Fannin Road, said point hereinafter referred to as the Point of Beginning:

Thence North 03°49'59" East along the East line of Old Fannin Road for 125.00 feet; thence South 86°25'17" East for 13.38 feet; thence South 03°34'43" West for 125.00 feet; thence North 86°25'17" West for 13.93 feet to the Point of Beginning.

Parcel 10:

A certain tract of land containing 0.010 acres, more or less, situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi and being part of Lot 48, Barnett Bend, Part 2, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi in Plat Cabinet B at Slot 294 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 62°03'39" East for 2877.41 feet to a point, said point hereinafter referred to as the Point of Beginning:

Thence North 57°15'23" East for 21.42 feet to a point on the East line of Lot 48; thence South 33°02'12" East along the East line of Lot 48 for 20.00 feet to a point on the West line of Old Fannin Road; thence South 57°15'22" West along the West line of Old Fannin Road for 21.52 feet; thence North 32°44'37" West for 20.00 feet to the Point of Beginning.

Parcel 11:

A certain tract of land containing 0.003 acres, more or less; situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi and being part of Lot 1, Riverchase - Phase 1, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi in Plat Cabinet B at Slot 181 and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi; run thence North 62°01'32" East for

2898.67 feet to a point on the West line of Lot 1, Riverchase - Phase 1, a subdivision of record and on file in the Office of the Chancery Clerk of Rankin County, Mississippi in Plat Cabinet B at Slot 181, said point hereinafter referred to as the Point of Beginning. Thence North 57°15'23" West for 5.58 feet; thence South 32°44'38" East for 20.0 feet; thence South 57°15'22" West along the West line of Old Fannin Road for 5.48 feet; thence North 33°02'12" West along the West line of Lot 1 for 20.00 feet to the Point of Beginning.

Parcel 12:

A temporary easement containing 0.076 acres, more or less, situated in the Northwest Quarter of the Northeast Quarter of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi and being more particularly described as follows:

Commencing at a 2" x 2" iron rod marking the Southwest corner of Section 12, Township 6 North, Range 2 East, Rankin County, Mississippi, run thence North 45°53'53" East for 5695.08 feet to a point, said point hereinafter referred to as the Point of Beginning:

Thence North 03°43'23" East for 183.92 feet; thence Northerly along the arc of a 12°49'08" curve to the right, said curve having a radius of 446.97 feet and a chord of North 06°03'19" East for 38.63 feet, for an arc distance of 38.64 feet; thence South 81°28'05" East for 15.00 feet to a point on the West line of Old Fannin Road; thence Southerly along the arc of a 13°15'50" curve to the left, said curve having a radius of 431.97 feet and a chord of South 06°03'19" West for 37.33 feet, for an arc distance of 37.35 feet; thence South 03°43'23" West along the West line of Old Fannin Road for 183.21 feet; thence North 88°57'11" West for 15.02 feet to the Point of Beginning.

(2) The Department of Finance and Administration is authorized to charge the City of Flowood and the County of Rankin, Mississippi, for the costs incurred for the transfer of property authorized in subsection (1) and, accordingly, such entities shall be responsible for the costs.

SECTION 4. (1) The Mississippi Commission on Wildlife, Fisheries and Parks is authorized to donate and convey that property located in Hinds County, Mississippi, known as "Lake Dockery," to the newly incorporated City of Byram, Mississippi, the property being more particularly described as follows:

Beginning at the Southeast corner of Section 11, Township 4, Range 1 West, thence North 25° 04' West, a distance of 921 feet to the point of beginning; thence at an angle of 46° 00' right, a distance of 337.5 feet; thence at an angle of 37° 11' left, a distance of 200 feet; thence at an angle of 7° 14' right, a distance of 233 feet; thence at an angle of 14° 54' left, a distance of 329 feet; thence at an angle of 13° 37' left, a distance of 490 feet; thence at an angle of 17° 02' right, a distance of 395 feet; thence at an angle of 40° 21' left, a distance of 337 feet; thence at an angle of 31° 00' left, a distance of 273 feet; thence at an angle of 2° 34' right, a distance of 512 feet; thence at an angle of 62° 30' left, a distance of 312 feet; thence at an angle of 21° 18' left, a distance of 200 feet; thence at an angle of 20° 12' left, a distance of 836 feet; thence at an angle of 88° 02' right, a distance of 284 feet; thence at an angle of 9° 25' left, a distance of 324 feet; thence at an angle of 132° 23' left, a distance of 594 feet; thence at an angle of 55° 52' right, a distance of 569 feet; thence at an angle of 71° 41' left, a distance of 757 feet; thence at an angle of 33° 04' right, a distance of 355 feet; thence at an

angle of 83° 30' left, a distance of 921 feet to point of beginning, containing 80.5 acres more or less.

(2) The authority to donate and convey the property in this section shall include the authority to convey the property in fee simple subject to any prior reservations. The conveyance to be made shall also include the enrollment of Lake Dockery in the "Community Assistance Program" of the Department of Wildlife, Fisheries and Parks to provide technical assistance to the City of Byram in the management of the fishery at Lake Dockery and such other assistance as may be necessary from time to time.

(3) The City of Byram shall provide public access to the lake and maintain the lake for public use.

SECTION 5. The Alcorn State University Baseball Park on the campus of Alcorn State University in Lorman, Mississippi, shall be named the Willie E. "Rat" McGowan, Sr., Baseball Stadium. The Department of Finance and Administration shall prepare a distinctive plaque to be placed in a prominent place within the Willie E. "Rat" McGowan, Sr., Baseball Stadium, which states the background, accomplishments and service to the university of Mr. McGowan.

SECTION 6. The baseball field within the Willie E. "Rat" McGowan, Sr., Baseball Stadium, as designated in Section 1 of this act, located on the campus of Alcorn State University in Lorman, Mississippi, shall be named the William "Bill" Foster Baseball Field. The Department of Finance and Administration shall prepare a distinctive plaque to be placed in a prominent place on the William "Bill" Foster Baseball Field, which states the background, accomplishments and service to the university of Mr. Foster.

SECTION 7. The Ross Barnett Lake located in Mize, Mississippi, in Smith County, is hereby renamed the Prentiss Walker Lake.

SECTION 8. (1) The Mississippi Department of Archives and History is authorized to proceed with implementing the recovery

and restoration of the historic shipwreck site near the eastern shore of the Bay of Biloxi designated as state site 22Ja542. The department shall implement a program to publicize the historic nature of the site and to involve the private sector to the greatest extent possible.

(2) The Department of Marine Resources, the University of Southern Mississippi, the Mississippi Development Authority and any other agency upon request by the Department of Archives and History shall to the greatest extent practical, assist the Department of Archives in the recovery and restoration project.

(3) (a) There is created in the State Treasury a fund designated for the historic shipwreck project. The fund may receive monies from any available private or public source.

(b) Expenditures may be made from the fund upon requisition by the executive director of the department of Archives and History.

(c) The fund shall be treated as a special trust fund. Interest earned on the principal shall be credited by the Treasurer to the fund.

(4) The executive director shall file an annual report detailing the receipts and expenditures with the chairpersons of the House and Senate Appropriations Committees.

SECTION 9. This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE
March 25, 2010


PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 26, 2010


SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR


GOVERNOR